

Case Number: 08 CV 01648

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Edgar C. Bayas

Vs.

Tully Construction Co., Inc, Tully Environmental Inc., ETAL

State of New York County of Albany

Jeffrey Teitel being duly sworn deposes and says that deponent is over the age of eighteen years and is not a party in this proceeding. Deponent served a true copy of Summons in a Civil Action and Complaint, such service having been made in the following manner, stated herein, and said person being the proper and authorized person to be served in this proceeding,

Nikki Chapel Agent for service – The Prentice-Hall Corporation
System, Inc. on behalf of Lehman Commercial Paper Inc. – 80 State Street - Albany, NY
12:20 PM, June 12, 2008

Deponent further states upon information and belief that said person so served in not in the Military service of the state of the State of New York or of the United States as the term is defined in either of the State or Federal Statutes.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age</u>	<u>Height</u>	<u>Weight</u>
<u> </u> Male	<u> </u> White	<u> </u> Light	<u> </u> 20-30	<u> </u> 5'-5'5"	<u> </u> 100-150
<u>X</u> Female	<u>X</u> Black	<u> </u> Medium	<u>X</u> 31-40	<u> </u> 5'6"-6'	<u>X</u> 151-200
	<u> </u> Other	<u>X</u> Dark	<u> </u> 41-50	<u> </u> 6'1"-6'5"	<u> </u> 200-250
			<u> </u> 51-60	<u> </u> 6'6"+	<u> </u> 250+

Sworn to me this 12th day of
June, 2008

 
Jeffrey Teitel

Hilary Teitel
Notary Public

HILARY TEITEL
Notary Public, State of New York
Qualified in Albany County
No. 01TE5049179
Commission Expires Sept. 11, 2009